

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRITTANY K. REYNOLDS,

Defendant.

**No. 10-CR-4007-DEO**

**ORDER  
ACCEPTING REPORT AND  
RECOMMENDATION CONCERNING  
GUILTY PLEA**

---

**I. INTRODUCTION AND BACKGROUND**

On January 27, 2010, a six count Indictment (Docket No. 3) was returned in the above-referenced case. Count 4 and Count 5 are the only Counts of this Indictment applicable to Defendant Brittany K. Reynolds.

Count 4 of the Indictment charges that on or about February 8, 2009, in the Northern District of Iowa, a co-defendant and Defendant Brittany K. Reynolds, did knowingly and intentionally distribute and did aid and abet another or others in the distribution of a mixture or substance containing a detectable amount of cocaine which contained cocaine base, commonly called "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 851 and Title 18, United States Code, Section 2.

Count 5 charges that on or about February 8, 2009, in the Northern District of Iowa, a co-defendant and Defendant Brittany K. Reynolds, did knowingly and intentionally distribute and did aid and abet another or others in the distribution of a mixture or substance containing a detectable amount of cocaine which contained cocaine base, commonly called "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 851 and Title 18, United States Code, Section 2.

On April 2, 2010, Defendant Brittany K. Reynolds appeared before Chief United States Magistrate Judge Paul A. Zoss and entered a plea of guilty to Counts 4 and 5 of the Indictment. In the Report and Recommendation (Docket No. 41, 04/05/2010), Chief United States Magistrate Judge Paul A. Zoss recommends that defendant Brittany K. Reynolds's guilty plea be accepted. No objections to Judge Zoss's Report and Recommendation were filed. The Court, therefore, undertakes the necessary review to accept Defendant Brittany K. Reynolds's plea in this case.

## **II. ANALYSIS**

### **A. Standard of Review**

Pursuant to statute, this Court's standard of review for a magistrate judge's Report and Recommendation is as follows:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate [judge].

28 U.S.C. § 636(b)(1). Similarly, Federal Rule of Civil Procedure 72(b) provides for review of a magistrate judge's Report and Recommendation on dispositive motions and prisoner petitions, where objections are made as follows:

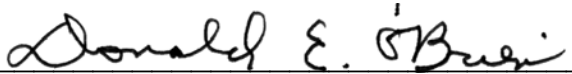
The district judge to whom the case is assigned shall make a de novo determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made in accordance with this rule. The district judge may accept, reject, or modify the recommendation decision, receive further evidence, or recommit the matter to the magistrate judge with instructions.

FED. R. CIV. P. 72(b).

In this case, no objections have been filed, and it appears to the Court upon review of Chief Magistrate Judge Zoss's findings and conclusions that there are no grounds to reject or modify them.

**IT IS THEREFORE HEREBY ORDERED** that this Court accepts Chief Magistrate Judge Zoss's Report and Recommendation (Docket No. 41), and accepts Defendant Brittany K. Reynolds's plea of guilty in this case to Counts 4 and 5 of the Indictment filed on January 27, 2010, (Docket No. 3).

**IT IS SO ORDERED** this 14th day of May, 2010.

  
Donald E. O'Brien, Senior Judge  
United States District Court  
Northern District of Iowa